

Message Text

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PAGE 01 MONTRE 01280 212114 Z

71

ACTION IO-14

INFO OCT-01 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01 ADP-00

CAB-09 CIAE-00 COME-00 DODE-00 EB-11 INR-10 NSAE-00

FAA-00 L-03 OIC-04 RSR-01 /121 W
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P 211918 Z JUN 73

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC PRIORITY 3453

UNCLAS MONTREAL 1280

FROM USREP ICAO

E. O. 11652: N/A

TAGS: ETRN, CA

SUBJ : ICAO - DRAFT STATE LETTER REGARDING INTERCEPTION OF
CIVIL AIRCRAFT (C- WP/5802)

THE COUNCIL WILL CONSIDER FOLLOWING TEXT MORNING SESSION
JUNE 22. QUOTE SIR,

1. I HAVE THE HONOUR TO INFORM YOU THAT THE COUNCIL OF ICAO,
AT THE 5 TH MEETING OF ITS 79 TH SESSION ON 6 JUNE 1973, CON-
SIDERED THE NEED FOR FURTHER ICAO ACTION DESIGNED TO AVOID
INTERCEPTION OF CIVIL AIRCRAFT AND TO REDUCE TO A MINIMUM
THE RISKS RESULTING FROM ANY SUCH INTERCEPTION. THE COUNCIL
INSTRUCTED ME, FURTHER TO LETTER AN 13/16 - 66/129 OF 12 SEPT
1966 (A COPY OF WHICH IS ATTACHED), AND PENDING THE RESULT OF
THE STUDY DESCRIBED IN PARA 5 BELOW, TO URGE CONTRACTING STATES:

A) TO AVOID INTERCEPTION OF CIVIL AIRCRAFT AND TO ENGAGE IN THE
INTERCEPTION OF A CIVIL AIRCRAFT ONLY AS A LAST RESORT;

B) TO LIMIT ANY ACTION, IN SUCH CASES OF LAST RESORT, TO
THAT REQUIRED TO IDENTIFY THE CIVIL AIRCRAFT CONCERNED AND TO
ASSIST IT IN AVOIDING ANY PROHIBITED OR RESTRICTED AREAS AND IN
PROCEEDING TO DESTINATION. IN THE EXCEPTIONAL CASE WHERE THE
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PAGE 02 MONTRE 01280 212114 Z

INTERCEPTED AIRCRAFT WILL BE REQUIRED TO LAND IN THE TERRITORY OVERFLOWN, THE DESIGNATED AERODROME MUST BE SUITABLE FOR THE AIRCRAFT TYPE CONCERNED;

C) TO USE, WHEN INTERCEPTION OF A CIVIL AIRCRAFT HAS BEEN UNDERTAKEN, THE PROCEDURES AND VISUAL SIGNALS IN ATTACHMENT A TO MY LETTER REFERRED TO ABOVE, AS AMENDED BY CORRIGENDUM OF EVEN REFERENCE OF 7 SEPT 1967 (ATTACHED), AND TO REFRAIN FROM THE USE OF ARMS.

2. DURING ITS DISCUSSION, THE COUNCIL DIRECTED ME TO REITERATE TO STATES THE NECESSITY OF INCLUDING INTERCEPTION PROCEDURES, INCLUDING THOSE IN 1 C) ABOVE, IN THEIR AERONAUTICAL INFORMATION PUBLICATIONS IF THEY DID NOT FIND IT POSSIBLE TO ELIMINATE THE PRACTICE OF INTERCEPTION ALTOGETHER.

3. THE COUNCIL WAS AWARE THAT THE SUBJECT OF INTERCEPTION OF CIVIL AIRCRAFT ALSO INVOLVES ASPECTS RELATING TO PRACTICES BY STATE AIRCRAFT, AND THAT THESE ARE NOT WITHIN THE PURVIEW OF THE CHICAGO CONVENTION. HOWEVER, IN RECOGNIZING THAT THESE ASPECTS ARE OF PRIME SIGNIFICANCE TO THE SAFETY OF CIVIL AIRCRAFT ENGAGED IN INTERNATIONAL AIR NAVIGATION, IT CONSIDERED IT APPROPRIATE THAT ICAO ADDRESS STATES WITH ITS RECOMMENDATIONS ON THE SUBJECT.

4. COMPLIANCE WITH THE RECOMMENDATIONS IN PARAS 1 AND 2 ABOVE WILL REQUIRE CO- ORDINATION BETWEEN AND CO- OPERATIVE EFFORT BY VARIOUS GOVERNMENT AGENCIES AND HIGH- LEVEL AUTHORITIES. THE COUNCIL TRUSTED THAT ACTION WOULD BE TAKEN THROUGH APPROPRIATE CHANNELS WITH THE RELEVANT AGENCIES AND AUTHORITIES WITHIN EACH STATE CONCERNED.

5. AT THE SAME MEETING, THE COUNCIL REQUESTED THE AIR NAVIGATION COMMISSION TO STUDY THE SUBJECT OF INTERCEPTION OF CIVIL AIRCRAFT AND TO DEVELOP APPROPRIATE DRAFT MATERIAL. IN SO DOING, THE COUNCIL EMPHASIZED THE DESIRABILITY OF THE STUDY BEING COMMENCED AND COMPLETED AS SOON AS PRACTICABLE. THE RESULTS OF THE WORK OF THE AIR NAVIGATION COMMISSION WILL BE PROCESSED IN ACCORDANCE WITH THE REGULAR PRACTICES OF THE ORGANIZATION AND YOU WILL THEREFORE BE INVITED TO COMMENT ON ANY PROPOSALS FOR AMENDMENT OF ICAO REGULATORY PROVISIONS. YOU ARE INVITED TO INFORM ME, BEFORE
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PAGE 03 MONTRE 01280 212114 Z

15 AUG 1973, OF ANY EXPERIENCE YOU HAVE ACCUMULATED OR DIFFICULTIES YOU HAVE ENCOUNTERED IN APPLYING THE RECOMMENDATIONS IN THE ABOVE- MENTIONED LETTER AN 13/16 - 66/129 WHICH YOU FEEL MIGHT BE OF VALUE TO THE AIR NAVIGATION COMMISSION IN ITS WORK.

6. COPIES OF THE PRESENT LETTER ARE ALSO BEING SENT TO GOVERNMENTS OF NON- CONTRACTING STATES FOR THEIR INFORMATION.

ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST CONSIDERATION. (SIGNED)
ASSAD KOTAITE, SECRETARY GENERAL

ENCLOSURES: STATE LETTER AN 13/16 / 66/129 OF 12 SEPT 1966
AND CORRIGENDUM OF 7 SEPT 19 67

ACTION REQUIRED: COMPLIANCE WITH PARAGRAPHS 1 AND 2; REPLY TO
PARAGRAPH 5, IF APPLICABLE, BY 15 AUG 1973. UNQUOTE.
TOPPING

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NNNNMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973MONTRE01280
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: MONTREAL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730626/aaaajksj.tel
Line Count: 129
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: kellerpr
Review Comment: n/a
Review Content Flags:
Review Date: 10 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10-Sep-2001 by thomasv0>; APPROVED <02-Jan-2002 by kellerpr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> wfs 980219
Subject: ICAO - DRAFT STATE LETTER REGARDING INTERCEPTION OF CIVIL AIRCRAFT (C- WP/5802) THE COUNCIL WILL CONSIDER FOLLOWING TEXT MORNING SESSION JUNE 22. Q UOTE SIR
TAGS: ETRN, CA
To: IO
SECSTATE WASHDC
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005